

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BLUEFIELD

RANDY MICHAEL BRODNIK, D.O.,

Plaintiff,

v.

Civil Action No. 1:11-00178

ROBERT LANHAM, et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER**

On December 5, 2022, the court granted the motion of Paul J. Harris to withdraw as counsel for plaintiff. (ECF No. 150). That order further directed that, within thirty (30) days of entry of the order, "Dr. Brodnik should inform the court if he intends to obtain counsel to represent him in this matter or if he will proceed pro se." Id. The Clerk was directed to send a copy of the order to Dr. Brodnik, via certified mail return receipt requested, at the address provided by Mr. Harris. See id.


More than thirty days have elapsed and the court has not heard from Dr. Brodnik. Nor has the court received a return receipt indicating that Dr. Brodnik received the order. However, no mail has been returned to the court which indicates that the order may have been delivered but that either a signature was not obtained or the signature receipt was lost. Transaction details from the United States Post Office indicate that the return receipt is lost. See ECF No. 151.

For all these reasons, the court deems it proper to extend the time by which Dr. Brodnik must inform the court of his intent to either obtain new counsel or proceed pro se. **Accordingly, within thirty (30) days of entry of this Order, Dr. Brodnik should inform the court if he intends to obtain counsel to represent him in this matter or if he will proceed pro se.**

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record and unrepresented parties. The Clerk is likewise to send a copy of this Order, as well as ECF No. 150, to Dr. Brodnik at 150 Courthouse Rd., Suite 202, Princeton, WV 24740, certified mail return receipt requested.

**IT IS SO ORDERED** this 10th day of February, 2023.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge